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8 NEWMEYER & DILLION, LLP, a California limited liability partnership

9
10 **UNITED STATES DISTRICT COURT**

11 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

12 TRAVELERS INDEMNITY COMPANY OF
13 CONNECTICUT, a Connecticut corporation,

14 Plaintiff,

15 v.

16 CENTEX HOMES, a Nevada partnership;
17 NEWMEYER & DILLION, LLP, a California
limited liability partnership; RGL INC., a
18 California corporation, dba RGL
FORENSICS; and DOES 1 through 10,
19 inclusive,

20 Defendants.

Case No. 3:13-cv-00088-CRB

[Consolidated with Case No. 3:12-cv-00371-
CRB]

Honorable Charles R. Breyer

**STIPULATION TO STAY CASE AND
ORDER**

1 Travelers Indemnity Company of Connecticut (“Travelers”), Centex Homes (“Centex”)
2 and Newmeyer & Dillion, through their designated counsel, respectfully request that this Court
3 stay this matter for all purposes, including the recent briefing the Court ordered following the
4 status conference held on March 18, 2016. (Docket No. 96.)

5 Travelers and Centex have been involved in substantial global settlement negotiations for
6 the dozens of cases between them in California courts. This includes state and federal cases
7 throughout California, including this one.

8 On January 19, 2016, Travelers and Centex attended a mandatory settlement conference
9 before the Honorable John A. Kronstadt of the Central District of California. Travelers and
10 Centex adjourned the conference to exchange certain information to assist in further settlement
11 discussions. As part of the ongoing settlement discussions, Travelers and Centex entered into an
12 informal standstill of most of the outstanding cases to conserve resources and promote judicial
13 economy. Although this case was not initially part of the standstill, the parties wish to extend the
14 standstill to include this case as well.

15 Initially the standstill was for 30 days to facilitate a February 23, 2016, settlement
16 conference. However, Travelers and Centex continued the MSC to April 1, 2016, to permit for
17 additional information gathering. Recently, however, the Court continued the MSC to May 10,
18 2016. If discussions are promising, Travelers and Centex may wish to hold additional days of
19 settlement discussion if all issues are not resolved on May 10, 2016.

20 RGL, Inc is not a party to the above referenced settlement discussions and is not requesting
21 a stay. RGL asserts that Travelers has failed to comply with its obligations under FRCP 26 (a) (1)
22 (A) (iii) in that Travelers’ disclosure did not contain the required “computation of each category of
23 damages claimed”.

24 Nonetheless, RGL does not object to entry of a stay as desired by the other parties
25 provided that the stay shall not in any way prejudice RGL’s rights to bring a motion to compel the
26 required computation.

27 In light of the May 10, 2016, continued MSC, the parties now wish to stay this matter for
28 all purposes and to take the May 20, 2016, status conference off calendar. The parties believe a

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1 stay will focus the parties' settlement efforts and preserve judicial economy.

2 If the Court agrees to the stay, the parties propose that they submit a brief joint status
 3 report no later than May 24, 2016, indicating whether the settlement discussions remain ongoing,
 4 such that a continued stay is warranted, or whether the discussions have reached an impasse and,
 5 in that case, propose a briefing schedule on the briefs the Court ordered during the March 18,
 6 2016, status conference. (Docket No. 96.)

7
 8 DATED: April 25, 2016

PAYNE & FEARS LLP

9
 10 By: /s/ Jeffrey M. Hayes
 11 J. KELBY VAN PATTEN
 12 JEFFREY M. HAYES

13 Attorneys for CENTEX HOMES

14 DATED: April 25, 2016

THE AGUILERA LAW GROUP, APLC

15
 16 /s/ Rebecca Hunter
 17 A. ERIC AGUILERA, ESQ.
 18 RAYMOND E. BROWN, ESQ.
 19 REBECCA HUNTER, ESQ.

20 Attorneys for TRAVELERS INDEMNITY
 21 COMPANY OF CONNECTICUT

22 DATED: April 25, 2016

ERICKSEN ARBUTHNOT

23
 24 By: /s/ Andrew Sclar
 25 ANDREW P. SCLAR

26 Attorneys for RGL, INC.
 27
 28

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED that this case is stayed for all purposes and all pending deadlines are taken off calendar.

IT IS FURTHER ORDERED that the parties submit an joint status update no later than May 24, 2016, following of the conclusion of the MSC that is being held before Honorable John A. Kronstadt of the Central District of California.

Dated: April 28, 2016



Hon. Charles R. Breyer
Judge, United States District Court

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